

# *After the storm has passed*



Tornadoes swept through Owensboro on Jan. 3, 2000, injuring dozens of people and causing \$80 million in damage. (Kentucky Division of Emergency Management photos)

## **Settling disaster claims: who to call and what to do**

**Paul E. Patton, Governor  
Commonwealth of Kentucky**

**Janie A. Miller, Secretary  
Public Protection and Regulation Cabinet  
and  
Commissioner  
Department of Insurance**



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## **What to do after the storm?**

- ☐ **Call your agent:** Agent's name & phone number \_\_\_\_\_  
\_\_\_\_\_
- ☐ Ask for policy # and renewal date \_\_\_\_\_
- ☐ Ask about a housing allowance
- ☐ Ask about storage to secure items
- ☐ Ask about car rental
- ☐ **Report your claim:** Phone number to report claim \_\_\_\_\_
- ☐ Date claim reported: \_\_\_\_\_
- ☐ Insurance claim number: \_\_\_\_\_
- ☐ Insurance company: \_\_\_\_\_

### **When you call, have on hand your:**

- ☐ Insurance agent's name and address.
- ☐ Insurance policy number & renewal date.

### **Be prepared to give:**

- ☐ Complete directions to your home.
- ☐ Your temporary address and how to find you.
- ☐ A cell phone number if you have one.

### **Write down:**

- ☐ The claims reference number. \_\_\_\_\_
- ☐ The name of the person you talked to at the insurance company \_\_\_\_\_  
\_\_\_\_\_
- ☐ When you called and other pertinent information. \_\_\_\_\_  
\_\_\_\_\_

### **Ask about:**

- ☐ Details on filing a claim including any deadlines.
- ☐ Arrangements for an adjuster to inspect the damage.
- ☐ Temporary housing and living expenses if you can't live in your home.
- ☐ Car rental if your vehicle can't be driven.

### **When the adjuster arrives:**

- ☐ Adjuster's name: \_\_\_\_\_
- ☐ Adjuster's business address and phone number: \_\_\_\_\_  
\_\_\_\_\_

### **Begin gathering information to support your claim:**

- ☐ Photos
- ☐ Receipts
- ☐ Detailed list of items
- ☐ Prevent further damage by covering roof, windows and removing water (only if you can do so safely)
- ☐ Don't agree to final settlement until you're satisfied. You are entitled to independent estimates.

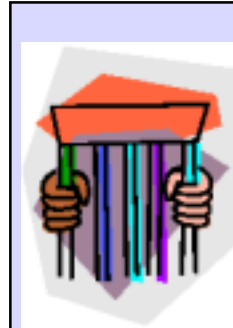
**If you haven't heard from your agent, adjuster or insurance company within 3 days, call us at the Department of Insurance, Consumer Protection and Education  
Division: (800) 595-6053; (800) 462-2081 for the deaf with a TTY.**

## AFTER THE STORM HAS PASSED

First a few words about safety – never try to reenter your home or attempt any repairs unless it is safe to do so. Watch for broken power lines, shattered glass, splintered wood or sharp protruding objects and mud-slicked walkways. Avoid using electrical appliances that have been exposed to water unless they’ve been checked by a technician.

- ❑ **Contact your insurance company as soon as possible.** Call your agent, the company’s toll-free number or get in touch with the company’s representatives in the area.

The local operations center/disaster information center should be aware of what companies have teams in the area, their locations or contact information. Typically, announcements will be made on the radio and in newspapers. (Not so typically, one insurance company “even rented an airplane that pulled a banner advertising the company’s location” after Hurricane Andrew in 1992, according to an *Insure.com* article.)



**Don’t let a con artist talk you into filing a phony claim. Insurance fraud — lying to an insurance company to get money — is illegal. An attempt to rip off your insurance company is one way to turn a weather disaster into something even worse.**

### What happens next...

The insurance company will send a *claims adjuster* to look at the damaged property and talk to you about your loss. An adjuster is a person professionally trained to assess the damage.

It may take some time for an adjuster to get to your house. If many homes are damaged, an adjuster may have several sites to visit. Also, police may stop adjusters and others from entering an area until it’s safe. Please be patient.

If a reasonable amount of time passes (about three days for a major disaster) and you haven’t heard from your adjuster, contact the Kentucky Department of Insurance. Talk to DOI disaster team members on site. Or call the toll free number — 1-800-595-6053 and ask for the Consumer Protection and Education Division. (TTY for the deaf: 800-462-2081)

Meet with your insurance company adjuster first, before signing anything with contractors, lawyers or *public adjusters*. Public adjusters are not connected with the insurance company and charge fees for their services.

Your local disaster information center may have details on what companies have representatives in the area and how you can contact one of the team members. In a large disaster, adjusters may be called in from across the country.

Keep in mind that many adjusters may not be familiar with your area and will need very detailed directions to locate your property. If you are not able to stay in your house due to the damage, be sure to tell your company where you can be reached. If possible, give the adjuster a cell phone number where you can be reached at all times.

### While you wait for the adjuster

- ❑ Make sure your address is visible from the street. One idea: paint your insurance company name, your policy number and your temporary address on a sheet of plywood.
- ❑ Take action to prevent further damage to your property — cover holes in the roof and windows and remove as much water as possible from the house. *Don’t make permanent repairs until the adjuster has inspected the property.*
- ❑ Move important papers and items not covered by insurance to a safer location.
- ❑ Make a list of everything you would like to show the adjuster when he or she arrives.
- ❑ Seek shelter elsewhere if necessary but leave information on where you can be contacted.

### Making a record

- ❑ Create a detailed list of damaged items.
- ❑ Take photographs of the damage. This is especially important if you must throw away items of value

that are bacteria-laden or move items before the adjuster has seen them. You may also want to save a remnant of items that must be thrown away.

- ☐ Keep *all* your receipts (for tarps and a wet/dry-vac, for example) and document the time you spend securing your property.
- ☐ Keep a record of conversations with insurance personnel and other officials including the person's name, the time and date and a summary of what you talked about.

#### **When the adjuster arrives**

- ☐ Ask for identification.
- ☐ Get the adjuster's name, his/her local phone number and company.
- ☐ Ask questions if there's anything you don't understand and take detailed notes.

### **Settling your claim**

#### **Some things to keep in mind**

- You are entitled to be reimbursed fairly for your loss, but you are not supposed to make a profit.
- You can't collect more than the face value of your policy.
- You can't collect for uninsured items, such as landscaping.
- Lodging and living expenses should be *reasonable* and you should keep receipts.
- Most policies cover tree removal if it falls on a covered structure. The value of the tree is usually not covered and your policy won't pay to remove it if it doesn't damage anything when it falls.
- Inspect your roof or have it inspected if you were in the disaster area but are unsure about roof damage.
- The first check you get from your insurance company is often an advance, not a final payment.
- If you're offered an on-the-spot settlement, you can accept the check right away but make sure that if you find other damage, you can "reopen" the claim and file for an additional amount. Most policies require claims to be filed within one year from the date of disaster.
- Don't agree to a final settlement until you are satisfied that it is fair. You are entitled to obtain independent estimates if you wish.
- You shouldn't sign anything that limits the company's future obligation. For example, it might take months to discover earthquake damage to your foundation.

#### **About your car**

Broken glass or body damage is covered only if you have *comprehensive insurance coverage*. You are not covered if you only have *liability insurance*.

Comprehensive coverage covers replacement of glass without having to apply your deductible. It will pay for repair of body damage after payment of your deductible. Be aware that insurance carriers have had great success with new technology to repair body damage from hail. It involves heating and popping out dents without having to repaint the car.

### **Avoiding the "fly-by-nighters"**

Contractors will probably be in short supply if there's a major disaster in your area. Don't let desperation put you in a position to be ripped off:

- ☐ Avoid repair scams by dealing with reputable licensed and insured local contractors you know or can check out. Ask people you trust for recommendations.
- ☐ Do not deal with "fly-by-night" remodelers who go door-to-door, especially those not known in your community or those who offer greatly reduced prices because they say they just completed work nearby and claim to have materials left over.
- ☐ Don't be afraid to ask for identification, especially if money is changing hands, and proof of general liability and workers' compensation insurance.
- ☐ Don't spend a lot of money on temporary repairs. Remember that payments for temporary repairs are part of the total settlement. If you pay a contractor a large sum for a temporary repair job, you may not have enough money for permanent repairs.
- ☐ Insist on a written contract that includes a description of the work, total cost and completion date.

**Check on state and federal assistance after a disaster, regardless of your income.**

**Kentucky Department of Insurance**  
**Division of Consumer Protection and Education**  
**P.O. Box 517, Frankfort, KY 40602-0517**  
**Toll-Free: 1-800-595-6053**  
**Consumer Protection: (502) 564-6034, Fax: (502) 564-6090**

## Consumer Complaint Form

**PLEASE NOTE:** In order to assist you, we need a **detailed summary** of the problem from your perspective, in addition to the information below. Attach more sheets as needed. Please type or print. Please attach copies of any documents related to your complaint. Do not send originals.

1. Your Name \_\_\_\_\_ Daytime Telephone \_\_\_\_\_
2. Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_
3. Type of Insurance Involved (*please circle one*):
- |                       |             |                             |        |            |
|-----------------------|-------------|-----------------------------|--------|------------|
| Auto                  | Homeowner's | Life                        | Health | Disability |
| Workers' Compensation | Commercial  | Other, please specify _____ |        |            |

4. My complaint is against (*please circle all that apply*):

Insurance Company      Adjuster      Agent      Other

If you are filing a complaint on behalf of another person, what is your relationship to the policyholder/ insured?

5. The involved insurance company is associated with (*please circle one*):

Your policy      Someone else's policy

6. Information on **my** policy: (*complete any that apply*)

Insurance Company:

Policy Number:

Group Number:

ID Number:

Agent's Name:

Agent's Address:

7. Information on the **other person's** policy (*complete any that apply*):

Insured's Name:

Insurance Company:

Policy Number:

Group Number:

ID Number:

Adjuster's Name:

8. Are you represented by an attorney? Please circle one.

Yes

No

Today's Date: (MM/DD/YY)/      /

Signature

Please use the space below to provide a detailed description of the problem from your point of view. Attach additional sheets if needed.

The Kentucky Department of Insurance does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and provides upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities.

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## BEFORE THE STORM HITS . . . .

No area is completely safe from the possibility of natural disaster. You can get specific information about what to expect in your community and how to prepare by contacting your local American Red Cross. Or go online at [www.redcross.org](http://www.redcross.org)

After you put together a family disaster plan to address personal safety issues, you will want to give some thought to protecting your investment in your home and property. Here are some tips from the Kentucky Department of Insurance (DOI):

- Review your insurance policies to see if you have adequate coverage.

If you're not sure, talk to your agent or call the Kentucky Department of Insurance (1-800-595-6053 or the line for the deaf with a TTY: 1-800-462-2081).

Insurance experts suggest you contact local contractors in your area to get an idea about rebuilding costs. Also, keep in mind you may have to bring your home up to current building codes rather than just restoring it "the way it was." Ask your agent if your policy will pay for the additional expense of bringing it up to code.

- Keep policies and other important papers together in a safe, easily accessible place.
- Inventory your personal property including model and serial numbers and purchase information. Do not overlook items you use seasonally or infrequently.
- Back up your inventory by videotaping and/or photographing each room in your house and storing this visual record outside your home.
- Make copies of insurance policies, your household inventory and other important papers and send them to a trusted friend or family member who lives outside your area.
- In your disaster supply kit, include cameras and extra videotape or film (or disposable cameras) and a notebook and pens for use in documenting your losses.
- Include the phone numbers of your insurance agent, your insurance company's local claims office and home office in your list of emergency numbers.

## FREQUENTLY ASKED QUESTIONS ABOUT FLOODS & EARTHQUAKES

### **My homeowner's policy does not cover flood damage. How do I get this coverage?**

Flood insurance is available from the National Flood Insurance Program. If your community participates in this program, you can purchase flood insurance regardless of your degree of risk. You can purchase NFIP insurance from a local agent or call 1-800-611-6123, ext. 490 for more information. The average flood insurance policy is affordable, certainly less expensive than a disaster loan. There is a 30-day waiting period before coverage goes into effect so plan ahead if you are interested in obtaining this coverage.

### **I have coverage in case of an earthquake. How is my deductible calculated?**

In Kentucky, the deductibles for earthquake insurance may vary based on your region of the state. Remember, this deductible is based on the value of your policy. For example, if you live in a county with a 10 percent deductible and you insure your home for \$150,000, you would be responsible for the first \$15,000 in earthquake damages. In this case, if the damages to your home were less than \$15,000, you would pay the entire amount for home repairs and your insurance company would pay nothing. Standard deductibles for policyholders living in each region are: 20 percent for far west region (Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Marshall and McCracken counties); 15 percent for the near west region (Butler, Caldwell, Crittenden, Daviess, Hancock, Henderson, Hopkins, Livingston, Lyon, McLean, Muhlenberg, Ohio, Trigg, Union and Webster counties), and 10 percent for the remaining counties. These are the standard deductibles companies are required to offer. However, companies may offer higher or lower deductibles as an option.

### **Useful Contacts:**

Department of Insurance  
Consumer Protection and Education Division  
**1-800-595-6053 Toll free**  
**1-800-462-2081 for deaf with TTY**  
<http://doi.ppr.ky.gov>

American Red Cross  
Check your local phone book for this number.  
[www.redcross.org](http://www.redcross.org)

Federal Emergency Management Agency  
Disaster Information Helpline  
**1-800-525-0321**  
[www.fema.gov](http://www.fema.gov)

National Flood Insurance Program  
**1-888-CALL FLOOD or 1-888-225-5356, ext. 445**  
**1-800-427-5593 TTY**  
[www.fema.gov/nfip](http://www.fema.gov/nfip)

National Weather Service  
[www.nws.noaa.gov](http://www.nws.noaa.gov)

Small Business Administration  
Disaster Loans  
**1-800-488-5323**  
[www.sba.gov](http://www.sba.gov)

**Do you need information about insurance issues? Do you want to file a complaint? Do you know someone who has committed the criminal act of insurance fraud? Contact your state Department of Insurance.**



## **Kentucky Department of Insurance**

P.O. Box 517, Frankfort, KY 40602-0517  
Toll free: 1-800-595-6053 For deaf with TTY: 1-800-462-2081  
<http://doi.ppr.ky.gov>

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**ADDRESS CORRECTION REQUESTED**

